

FACT SHEET: DECOY SHOULDER TAP**DECOY SHOULDER TAP PROGRAM****Introduction**

When the California Supreme Court ruled in 1994 that minor decoys could be used by law enforcement to check whether stores were selling alcohol to minors (persons under age 21), the violation rate was nearly 50 percent. In some cities, almost one out of every two stores failed to check a minor's age and sold them alcohol. In 1997 the violation rate had dropped to less than 10 percent in those cities that used the Minor Decoy Program on a regular basis. Minors then turned to the "shoulder tap" method of getting alcohol by standing outside of a liquor store or market and asking adults to buy them alcohol. A recent survey conducted by the Los Angeles Police Department indicated that as much as 46 percent of all minors who attempt to acquire alcohol use this method.

The Decoy Shoulder Tap Program is an enforcement program that ABC and local law enforcement agencies use to detect and deter shoulder tap activity. During the program, a minor decoy, under the direct supervision of law enforcement officers, solicits adults outside ABC licensed stores to buy the minor decoy alcohol. Any person seen furnishing alcohol to the minor decoy is arrested (either cited or booked) for furnishing alcohol to a minor (a violation of Section 25658(a) Business and Professions Code).

Goals and Objectives

The goals of the program are to: (1) Reduce underage consumption of, and access to, alcohol by deterring adults from furnishing to them outside of licensed premises; (2) Expand the involvement of local law enforcement in enforcing underage drinking laws; and (3) Raise public awareness about the problem.

Program objectives are to: (a) Provide mini grants to local law enforcement agencies to run the program; (b) Develop a public awareness campaign; and (c) Target communities for grants that have a high incidence of alcohol-related traffic crashes and injuries involving those under age 21.

To achieve its objectives, the Decoy Shoulder Tap Program relies on the sworn staff members of ABC and the local law enforcement agency.

Program Components

Program components include the following:

- **IDENTIFY LOCATIONS OF ACTIVITY.** Officers collect and review complaints and information provided by citizens, parents, school officials, patrol/campus police officers, community groups, and special event organizers who cater to high school age students. Officers review all data and evidence to help plan the program.
- **GAIN PROGRAM SUPPORT.** In addition to needing support from the community as described above, the program needs strong support by the local prosecutor. Therefore, law enforcement agencies are encouraged to discuss the benefits of the program with their city attorney or county district attorney.
- **COORDINATE THE INVESTIGATION.** The Decoy Shoulder Tap Program initially can be conducted as a joint operation between ABC and the local law enforcement agency. After the initial training by ABC, the program is normally used by the local law enforcement agency.
- **MEDIA INVOLVEMENT.** One of the most effective uses of the media is to publicize enforcement. Therefore, a press release announcing the program and its goals and objectives is issued to the local news media. Since many adults are not aware of the seriousness of the offense, the publicity of those arrested sends a strong message to those who may be inclined to assist a minor in getting alcohol.
- **DECOY SELECTION.** Selection of the minor decoy is critical. Desirable qualifications include being: under 20 years of age (and appearing that age); truthful; willing to work undercover and wear a radio transmitter; comfortable making a face-to-face identification of the suspect after the violation and to have their photograph taken with the suspect; able to prepare a written report; willing to testify in court; and willing to undergo media attention.

Results and Impact

Those law enforcement agencies that have used the Decoy Shoulder Tap Program have had significant results.

Quantitative Measures

The program's success can be measured quantitatively by the number of persons who furnished over those who did not on the first week versus the last week of the operation.

Further quantitative measures include the number of arrests; the number of suspects booked versus released on misdemeanor notices to appear; and the ages of the arrested suspects.

Case Example: Chico, California

Prior to 1995, 39 percent of eleventh grade students in Chico, California got their alcohol by asking a stranger to buy it for them. To attack this problem, the Chico Police Department began their "Shoulder Tap Sting" using a 20-year old reserve officer as a decoy. At the start of the program, it was common for the store clerk to witness the shoulder tapping, talk with the decoy, and still sell to the adult patron. When running the program a second time, officers found many store owners and citizens knew about the program. Further into the program, officers witnessed store owners contacting the decoy and threatening to call the police if the decoy did not leave. At one busy store, patrons refused the decoy 13 times in a row.

Case Example: Sutter County/Yuba City

In 1998, a joint operation was initiated by ABC's Special Operations Unit, the Sutter County Sheriff's Department, and the Yuba City Police Department to conduct a seven-week effort in which 15-to 18-year olds were used as decoys. During the operation, a total of 24 adults were arrested. At the beginning of the program, one out of every three adults agreed to furnish beer to the minors. At the end of the program, only one out of 35 adults would furnish.

Interestingly, 38 percent of those arrested had extensive criminal histories, and 21 percent of the adults arrested demanded extra money from the decoys for their own personal profit. Thirteen percent of those arrested gave free beer to the minors and did not ask for money. Fifty percent of the adults arrested were booked into the county jail for other violations such as outstanding felony warrants, probation or parole violations, possession of narcotics, possession of stolen property, and public intoxication.

The Sutter County District Attorney agreed to prosecute 100% of the cases. Local liquor stores became more active in calling the police or sheriff's department to report minors loitering in front of their stores trying to have adults furnish them beer. Several adults who were approached by the decoys verbally reprimanded the decoys (not knowing they were cadets) and warned them about drinking alcohol.

Qualitative Measures

Qualitative measures include declarations of satisfaction from licensees, local law enforcement officers, and community members. The program has also strengthened the working relationship between ABC and local community leaders, law enforcement agencies and alcohol industry members.

Funding

Current funding for the program is derived from a California Office of Traffic Safety and U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention grant in the amount of \$360,000, which funds mini-grants to local law enforcement agencies.

Contact Information

Additional information may be obtained by contacting:

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